

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

DAVID A. ATKINS

PLAINTIFF

V.

CAUSE NO.: 1:10CV40-SA-JAD

KEN SALAZAR, SECRETARY,  
DEPARTMENT OF THE INTERIOR

DEFENDANT

ORDER

Pursuant to an opinion issued this day, it is hereby ORDERED that

(1) Plaintiff's Motion for Leave to file a Sur-Reply [17] is GRANTED IN PART;

(1) the Defendant's Motion to Dismiss, or in the Alternative, for Summary Judgment [4]  
is GRANTED;

(2) the Plaintiff's claims are dismissed; and

(3) this case is CLOSED.

All memoranda, depositions, declarations and other materials considered by the court in  
ruling on this motion are hereby incorporated into and made a part of the record in this action.

SO ORDERED, this the 5th day of October, 2010.

/s/ Sharion Aycock  
U.S. DISTRICT JUDGE